

### **REMARKS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the following remarks.

#### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS.**

Claims 1-6, 8 and 16-23 are pending in this application.

#### **II. THE REJECTIONS UNDER 35 U.S.C. §§102 & 103**

Claims 1-6, 8 and 16-23 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 3,368,933 to Wicker (hereinafter, merely "Wicker").

Independent claim 1 recites, *inter alia*:

**"...a liquid polymeric resin coating applied and cured on said outside surface of said base structure, wherein said polymeric resin coating forms a distinct layer on said outside surface of said base structure; and a plurality of grooves formed in said polymeric resin coating ..."**

(Emphasis added)

In the Response to Arguments section of the Office Action, the Examiner equates the adhesive used in Wicker to the liquid polymeric resin of the instant invention. Applicants respectfully disagree.

Applicants respectfully submit that the liquid polymeric resin in the instant invention is applied on an outer surface of the belt to form a distinct layer on the outside surface of the base structure. Applicants submit that the adhesive used in Wicker does not form a distinct layer on the outside surface of the base structure, as recited in the instant claims. Unithane Resin D-407-JL (as disclosed in col. 6, lines 1-7 of Wicker) is merely used to adhere the Mylar coating to the top surface of the belt and not as a coating that forms a distinct layer.

Wicker specifically teaches the use of a sheet 136 of Mylar polyester film to form a belt 137. The assembled structure is held in place by this adhesive 138 (D-407-JL). *Wicker*, col. 10,

lines 27-35. On the contrary, the instant invention does not use any additional adhesive to apply the coating on the outer surface of the substrate. The coating, as instant claim 1 recites, is a liquid polymeric resin coating applied and cured on the outside surface of the base structure, wherein the polymeric resin coating forms a distinct layer on the outside surface of the base structure and the plurality of grooves are formed in this polymeric resin coating.

Therefore Wicker fails to teach or suggest the above identified feature of claim 1. Specifically, Wicker does not disclose or suggest a single facer corrugator belt comprising a liquid polymeric resin coating applied and cured on the outside surface of the base structure, wherein the polymeric resin coating forms a distinct layer on the outside surface of the base structure, and a plurality of grooves formed in the polymeric resin coating, as recited in claim 1.

Therefore Applicants respectfully submit that Wicker does not teach all the elements of the instant invention. Applicants thus submit that claim 1 is patentable over the relied upon portions of Wicker, and therefore is allowable.

Claims 1-6, 8 and 16-23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,857,605 to Welch et al. (hereinafter, merely "Welch") in view of Wicker.

Applicants respectfully submit that Welch teaches the use of fabric "plies 119-121", "a lower rubber cover 122" and "an upper rubber cover 123." Welch, in particular, teaches that the low friction strips are glued in the regions cut away leaving therebetween the high friction rubber strips. *Welch*, col. 5, lines 45-55. Therefore, quite contrary to what is recited in claim 1, and quite similar to the teachings of Wicker, Welch also teaches attaching the rubber covering using an adhesive.

Therefore Welch fails to teach or suggest the deficiencies in Wicker. Specifically, Welch does not disclose or suggest a liquid polymeric resin coating applied and cured on the outside surface of the base structure, wherein the polymeric resin coating forms a distinct layer on the outside surface of the base structure, and a plurality of grooves formed in the polymeric resin coating, as recited in claim 1.

Therefore, Applicants respectfully submit that Welch and Wicker, considered either alone or in combination, fail to teach or suggest the above identified features of claim 1. Thus, claim 1 is patentable over Welch and Wicker.

Claims 1-6, 8 and 16-23 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,470,944 to Billings et al. (hereinafter, merely "Billings") in view of U.S. Patent Application Publication No. 2002/0102894 to Hansen (hereinafter, merely "Hansen") and further in view of U.S. Patent No. 6,428,874 to McGahern et al. (hereinafter, merely "McGahern").

Similar to Welch and Wicker, the combination of Billings-Hansen-McGahern does not teach forming a distinct layer on the outer surface of the belt. Indeed, the relied upon combination results in the resin completely impregnating the through thickness of the belt.

Therefore, Applicants submit that none of Billings, Hansen and McGahern, considered either alone or in combination, disclose or suggest this distinguishing feature of claim 1. Specifically, none of them teach or suggest the polymeric resin coating forming a distinct layer on the outside surface of the base structure, as recited in the instant claims.

For at least the foregoing reasons, Applicants respectfully request the withdrawal of the rejection and submit that independent claim 1 is patentable over Billings, Hansen and McGahern.

### **III. OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION**

Claims 1-6, 8 and 16-23 were rejected under the judicially-created doctrine of obviousness-type double patenting as allegedly unpatentable over claim 1-19 of Billings in view of McGahern and further in view of Hansen.

For the reasons discussed above, Applicants request reconsideration and withdrawal of the provisional obviousness-type double patenting rejection.

### **IV. DEPENDENT CLAIMS**

The other claims are dependent from independent claim 1, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

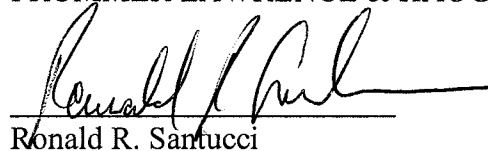
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully requests early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By: \_\_\_\_\_

  
\_\_\_\_\_  
Ronald R. Santucci

Reg. No. 28,988  
Ph: (212) 588-0800  
Fax: (212) 588-0500